

From: ["Mednick, Richard" <Mednick.Richard@epa.gov>](mailto:Mednick.Richard@epa.gov)
To: ["Tonel, Monica" <Tonel.Monica@epa.gov>](mailto:Tonel.Monica@epa.gov)
Date: 12/11/2018 9:55:39 AM
Subject: RE: EPA Letter to William C. Nelson, Jr. dated October 19, 2018
Attachments: [Consent For Access To Property.pdf](#)

Hi Monica

Here is the signed access form. Lori has asked whether a visit on Monday January 14 at 9:00 AM would work for you. Please let me know.

It looks like Lori would like for her to be the contact person, which is not ideal since it means I will need to be involved for us, but we'll make it work I'm sure.

Thank you,

Richard

From: Tonel, Monica
Sent: Monday, December 10, 2018 1:58 PM
To: Mednick, Richard <Mednick.Richard@epa.gov>
Subject: RE: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

Hi Richard-

Thank you for your message. The modified access form is ok with me. The attached is a clean version of the modified access form- I incorporated Lori's RLSO/track changes. Feel free to send to Lori.

Thanks again.
-Monica Tonel
PH: (206) 553-0323

From: Mednick, Richard
Sent: Tuesday, December 04, 2018 4:16 PM
To: Tonel, Monica <Tonel.Monica@epa.gov>
Subject: FW: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

Hi Monica,

It appears you may be gone today and for the next several days. I will be gone from tomorrow through next Monday. To keep the matter with Gunshy moving along, I am going to let Lori know that the modified access form is ok. If you decide next week that the form creates a problem, I can always get back to Lori and change our response.

Richard

From: Mednick, Richard
Sent: Tuesday, December 4, 2018 1:21 PM
To: Tonel, Monica <Tonel.Monica@epa.gov>
Subject: FW: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

Hi Monica,

Please see the attachment for proposed changes to the access form. It looks ok to me. What do you think?

Thank you, Richard

From: Lori Terry <lori.terry@foster.com>
Sent: Tuesday, December 4, 2018 12:48 PM
To: Mednick, Richard <Mednick.Richard@epa.gov>
Subject: RE: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

Hi Richard,

Thank you for your email of yesterday. The Estate is willing to grant EPA access as set forth on the attached redlined version of the consent form provided by EPA. As we previously discussed, over the past several years, the Estate has provided EPA with extensive information about Gunshy Farm through responses to initial and supplemental requests for information, meetings, and granting EPA and its counsel access to the site. Most recently, the Estate provided additional information to King County and provided a copy of its letter and exhibits to EPA, which directly responds to allegations that form the basis for EPA's preliminary site assessment. Please let me know if the attached revisions are acceptable to EPA and, if so, I will have the Trustee sign and we will get a date set for the preliminary site assessment visit within the timeframes in January outlined in your email below. Lori.

Lori Terry Gregory
ATTORNEY
Foster Pepper PLLC
Tel: 206.447.8902
lori.terry@foster.com

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From: Lori Terry
Sent: Monday, December 03, 2018 5:02 PM
To: Mednick, Richard
Cc: Lori Terry
Subject: Re: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

Hi Richard. (b) (6). I should be back in the office tomorrow and will get you a revised version with the consultant that we discussed and correct address. Thanks. Lori.

Sent from my iPhone

On Dec 3, 2018, at 4:58 PM, Lori Terry <lori.terry@foster.com> wrote:

Sent from my iPhone

On Dec 3, 2018, at 4:46 PM, Mednick, Richard <Mednick.Richard@epa.gov> wrote:

Hi Lori,

EPA needs to have the attached consent form signed and returned to me. I previously asked that it be provided to me by last Friday. Prior to that, Monica Tonel of EPA had requested that your client sign and return it to her weeks ago.

I do not see that any modifications are needed to the form to accommodate your client's interest in having its consultant accompany EPA during the site visit. As such, I think that any proposed changes would simply be a denial of the request for access.

This visit will be a very modest affair, consisting of some observations, photographs, and perhaps a discussion over the course of a few hours so that the EPA cleanup program can better understand the current and past use of the Gunshy Manor property.

I have also not received a reply from you about a good day and time for the EPA visit. EPA

still has two weeks available in January.

Please provide the signed consent form, without modifications, by the end of the day tomorrow. Otherwise, I will inform EPA that its request for access has been denied.

Thank you,

Richard

Richard Mednick
Associate Regional Counsel
Regional Judicial Officer
U.S. EPA I Region 10
1200 Sixth Avenue
Suite 155, M/S ORC-113
Seattle, WA 98102
(206) 553-1797

From: Mednick, Richard
Sent: Wednesday, November 28, 2018 4:15 PM
To: Lori Terry <lori.terry@foster.com>
Subject: RE: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

Hi Lori,

Here is the Word version of the EPA consent form. Please let me know of any proposed changes to the form to account for having a consultant, rather than the owner, accompany EPA during the site visit. However, in reviewing the form, I see that "representatives" of the owner could accompany EPA during the site visit, and since I think that category could cover consultants, I really don't think that any change is necessary to the form. But please let me know what you think.

Thank you,

Richard

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From: Lori Terry <lori.terry@foster.com>
Sent: Tuesday, November 20, 2018 1:58 PM
To: Mednick, Richard <Mednick.Richard@epa.gov>
Subject: RE: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

Hi Richard,

I just left you a voicemail. I'll be in the office today and part of tomorrow, but then
(b) (6) . Lori.

Lori Terry Gregory

ATTORNEY

Foster Pepper PLLC

Tel: 206.447.8902

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From: Mednick, Richard [<mailto:Mednick.Richard@epa.gov>]

Sent: Monday, November 19, 2018 1:19 PM

To: Lori Terry

Subject: RE: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

Hi Lori,

EPA would like the preliminary assessment site visit of the Gunshy Manor property to take place sometime during the week of January 7-11 or 14-18, 2019. The visit is anticipated to last about 3 hours. Please let me know of a day and time during that period which will work for your client. Attached is the letter and consent for access form which EPA sent to your client. Please have the form executed and returned to me by the end of November.

EPA remains interested in having a representative who is familiar with the Gunshy Manor property available to answer questions during the site visit. When we last spoke, you suggested that perhaps, instead, an attorney for your client could accompany EPA during the site visit. That would be an awkward arrangement as I am not planning to be present during the site visit. Please call me to further discuss this part of the visit.

Thank you,

Richard

Richard Mednick
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Seattle, WA 98102
(206) 553-1797

From: Lori Terry <lori.terry@foster.com>

Sent: Tuesday, November 6, 2018 1:24 PM

To: Mednick, Richard <Mednick.Richard@epa.gov>

Subject: RE: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

Hi Richard – I'm so sorry, but had a meeting run long. I'm back in the office now.
206.447-8902. Lori.

Lori Terry Gregory

ATTORNEY

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Tel: 206.447.8902

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From: Mednick, Richard [<mailto:Mednick.Richard@epa.gov>]
Sent: Monday, November 05, 2018 4:23 PM
To: Lori Terry
Subject: RE: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

Yes, I will plan to call you at 1:00 PM tomorrow. Thank you, Richard

Richard Mednick
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Regional Judicial Officer
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Seattle, WA 98102
(206) 553-1797

From: Lori Terry <lori.terry@foster.com>
Sent: Monday, November 5, 2018 4:15 PM
To: Mednick, Richard <Mednick.Richard@epa.gov>
Subject: RE: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

How would 1 pm tomorrow work for you?

Lori Terry Gregory
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From: Mednick, Richard [<mailto:Mednick.Richard@epa.gov>]
Sent: Monday, November 05, 2018 1:40 PM
To: Lori Terry
Subject: RE: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

Ms. Terry Gregory,

I left you a voicemail message earlier today. Given busy schedules, let's arrange a time for our call. Anytime Tuesday between 10:00 AM and 2:00 PM would work for me. Please let me know what works for you.

Thank you, Richard

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From: Lori Terry <lori.terry@foster.com>
Sent: Saturday, November 3, 2018 11:26 AM
To: Mednick, Richard <Mednick.Richard@epa.gov>
Subject: EPA Letter to William C. Nelson, Jr. dated October 19, 2018

Mr. Mednick,

I represent William C. Nelson, Jr., regarding EPA's letter referenced above, which was received by client and forwarded to me on October 24, 2018. This email follows up on the voicemail I left you yesterday (November 2, 2018), asking to speak with you about the letter and requested consent for access. I would appreciate it if you would give me a call back at my office number below. I am in the office every day next week, except Thursday, November 8, 2018.

Lori Terry Gregory
ATTORNEY

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<Gunshy Manor Consent for Access Form.doc>